IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 1263 of 2006
Date of decision: 08.12. 2006

Bal Krishan .....Petitioner

Versus

State of Punjab and Ors. .....Respondents

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr. Sandeep Arora, Advocate
for the petitioner

Mr. C.M. Munjal, Sr. Addl. A.G. Pb.
for the State

ASHUTOSH MOHUNTA, J (Oral)

Written statement on behalf of respondent No. 4 has been filed in Court today, which is taken on record.

The petitioners has prayed for quashing the order dated 24.10.2005 (Annexure P-2) passed by the Financial Commissioner and Secretary, Department of Rural Development and Panchayat, Punjab, by which an approval has been granted for leasing out the land measuring 6 kanals 16 marlas 176' x 137' (approx. 0.554 acre), comprised in Khasra No. 34 R 18/2, belonging to the Gram Panchayat Taragarh, Block Narot Naimal Singh, District Gurdaspur for a period of 10 years in favour of respondent No. 4 upto a maximum period of 99 years on the conditions as enumerated in para-2 of the Annexure P-2, for a sum of

Rs.5,540/- per month, which would be subject to further increase of 5% per annum. The aforementioned land has been given by the Gram Panchayat to respondent No. 4 for setting up of a Petrol Pump. It has been mentioned in the lease deed that the land would remain under the ownership of the Gram Panchayat. The State Government has given an approval to the proposal put up by the Gram Panchayat for leasing out the aforementioned land.

In our considered opinion, it cannot be said that the land has been given to respondent No. 4 at a throw away price. The price charged i.e. Rs.5,540/- per month for a small piece of agricultural land, is just and fair. The State Government has rightly given the approval for the same.

In view of the above, we find no merit in this writ petition and the same is, accordingly, dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

(NIRMAL YADAV)
JUDGE

December 08, 2006
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